

TRINA A. HIGGINS, United States Attorney (#7349)  
JOEY L. BLANCH, Assistant United States Attorney (#16665)  
Attorneys for the United States of America  
Office of the United States Attorney  
111 South Main Street, Suite 1800  
Salt Lake City, Utah 84111-2176  
Telephone: (801) 524-5682

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA MICHAEL BOWDEN,

Defendant.

Case No. 2:23-cr-00376

FIRST NOTICE OF COMPLIANCE AND  
REQUEST FOR RECIPROCAL  
DISCOVERY

Judge Tena Campbell

The United States of America, by and through the undersigned, hereby files its first notice of compliance with its discovery obligations in this case and request for reciprocal discovery from the defendant.

The United States gives notice that the following is being or has been provided to counsel for the defendant via USAfx:

CATEGORY	FOLDER NAME	DESCRIPTION	BATES BEGIN	BATES END
<u><b>Investigative Reports</b></u>	FBI	Examination of Phone	INV-FBI-01- 00001	INV-FBI-01- 00001.02
	West Valley PD	General Offense Report	INV-WVPD-01- 00001	INV-WVPD-01- 00001.12

-	West Valley PD	Advice of Rights	INV-WVPD-01- 00002	INV-WVPD-01- 00002
-	West Valley PD	Consent to Search	INV-WVPD-01- 00003	INV-WVPD-01- 00003
-	West Valley PD	Supplemental Report	INV-WVPD-01- 00004	INV-WVPD-01- 00004.02
-	SLCO	Information	INV-SLCO-01- 00001	INV-SLCO-01- 00001.04
-	SLCO	PC Affidavit	INV-SLCO-01- 00002	INV-SLCO-01- 00002.02
<b><u>Search Warrants</u></b>	SLCO	Affidavit	SW-SLCO-01- 00001	SW-SLCO-01- 00001.06
	SLCO	Search Warrant	SW-SLCO-01- 00002	SW-SLCO-01- 00002.03
<b><u>Business Records</u></b>	Townplace Suites	Hotel Receipt	BR-TPS-01- 00001	BR-TPS-01- 00001.02
<b><u>Audio Video</u></b>	FBI	Interview	AV-FBI-01- 00001	AV-FBI-01- 00001

Pursuant to Rule 12(b)(4)(A) of the Federal Rules of Criminal Procedure, the United States notified the defense that at trial, the United States may seek to use all physical evidence, statements made by the defendant and others, police reports, phone records, electronic evidence (including body camera footage), documents, and photographs obtained during the investigation.

The United States reserves the right to introduce in its case-in-chief all tangible objects, physical, documentary, and electronic evidence, and all other evidence provided, made available, or identified in discovery.

As additional discoverable material becomes available, such material will be provided within a reasonable time. Throughout this case, the United States will provide material discoverable under Rules 16 and 26.2 of the Federal Rules of Criminal Procedure and the Jencks Act without requiring the defendant to make a specific request for such material. Upon the request of the defendant, the United States will permit and facilitate the defendant's own inspection, copying or photographing of those items described/defined in Rule 16(a)(1)(E).

The United States also hereby requests disclosure of evidence by the defendant (also known as reciprocal discovery) pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure and DUCrimR 16-1(c). By providing Rule 16 discovery without requiring a specific request from the defense, the United States invokes a reciprocal obligation on the defendant under DUCrimR 16-1(c), which states that the defendant must allow the government to inspect and to copy the following, as further defined in Rule 16 of the Federal Rules of Criminal Procedure:

- a. Documents and tangible objects the defendant intends to introduce as evidence at trial;

- b. Reports of examinations and tests the defendant intends to introduce at trial or that were prepared by a witness whom the defendant intends to call at trial; and
- c. A written summary of the testimony of any expert the defendant intends to use a trial under Federal Rules of Evidence 702, 703 and 705.

The United States requests that the defendant provide to the government at a reasonable time before trial, but no later than five working days before trial, copies of the material referenced in this paragraph. Further, the United States requests continuing compliance with the reciprocal discovery following the initial disclosure.

The United States also hereby requests all written and recorded statements by any witness other than the defendant whom the defendant intends to call at trial or a hearing covered by the Jencks Act or Rule 26.2 of the Federal Rules of Criminal Procedure.

DATED this 1<sup>st</sup> day of November, 2023.

TRINA A. HIGGINS  
United States Attorney

/s/Joey L. Blanch  
JOEY L. BLANCH  
Assistant United States Attorney

## **CERTIFICATE OF SERVICE**

I certify that on the 1<sup>st</sup> day of November, 2023, the First CERTIFICATE OF COMPLIANCE AND REQUEST FOR RECIPROCAL DISCOVERY was filed electronically to the District Court, and caused to be made available for download from USAfx, to the following:

Adam G. Bridge  
Assistant Federal Public Defender  
46 W Broadway Ste 110  
Salt Lake City, UT 84101  
Adam\_Bridge@fd.org

/s/ Jennifer Salt  
JENNIFER SALT  
Legal Administrative Specialist